

**DECLARATION OF ERIC GILLENWATER
ON BEHALF OF WORLDCOM, INC.**

Based on my personal knowledge and on information learned in the course of my duties, I, Eric Gillenwater, declare as follows:

1. My name is Eric Gillenwater. I am employed by WorldCom, Inc. as a sales representative. In this position, I took two Type II orders from Bloomberg Financial Services ("Bloomberg"), each for a DS-1 circuit . Type II orders are orders for telecommunication services in buildings for which WorldCom does not have existing facilities.
2. Bloomberg is a financial information provider. It is my understanding that in order to provide financial information to its customers, Bloomberg must install a connection between its own locations and its customers' locations. The DS-1 orders Bloomberg placed with WorldCom were to facilitate such connections.
3. Order #NYC15838: On or about February 9, 2000, Bloomberg called me to place this order for a DS-1 to connect one of its facilities in New York City with one of its customers, Viking Global ("Viking"). Based on this order, WorldCom submitted an Access Service Request ("ASR") to Verizon on or about February 15, 2000. Verizon returned a firm order commitment ("FOC") to WorldCom on February 23, 2000, giving an installation date for the requested DS-1 of April 14, 2000.
4. Verizon did not meet its given installation date of April 14, 2000. When WorldCom called Verizon on April 12, 2000, to confirm the installation date, Verizon stated that

it would not be able to deliver the DS-1 until May 5, 2000. Verizon explained that it had encountered facilities problems at Viking's location, and that it had to install a multiplexer before it could install the DS-1.

5. On May 4, 2000, WorldCom called Verizon to confirm the new May 5 installation date, but Verizon stated that the installation had been pushed back again, to May 15. Verizon missed that date as well. On May 18, 2000, Verizon informed WorldCom that they still had not installed the multiplexer, and that it would be at least another two weeks before that installation occurred.

6. At this point, WorldCom attempted to escalate the situation to the manager level at Verizon, but Verizon rejected the escalation. Verizon provided yet another installation date, May 23, 2000, for the multiplexer. Again, this date was missed. WorldCom again contacted Verizon to determine when this order would be completed, and, on June 8, 2000, Verizon stated that the multiplexer would be installed that day, with the DS-1 circuit to be installed the following day. Again, Verizon did not install on the promised dates. This pattern continued into July. By this time, the customer was extremely unhappy that WorldCom had not been able to provide the connection the Bloomberg had ordered back in February.

7. At some point between July 13 and July 26, Verizon finally installed the DS-1 at the Viking location, and informed WorldCom that the DS-1 was connected to WorldCom's system. On July 26, WorldCom checked the cross signal, but was unable to get a signal from the DS-1. WorldCom called Verizon to report the problem, and Verizon assured WorldCom that the DS-1 was connected. WorldCom still was unable to get a signal, however.

Finally, on August 9, Verizon informed WorldCom that they had not yet performed the plant test on the circuit. The plant test tests the connection through Verizon's system up to the point it connects with WorldCom's system. Verizon indicated that it would not perform this test until after the strike, which by then had commenced. Accordingly, WorldCom could not turn up the loop on that circuit for the customer.

8. On or about August 23, 2000, after the strike ended, WorldCom escalated this order to the Vice President level. A WorldCom Vice President named this Bloomberg order as one of her top ten priority orders. Finally, on or about September 18, 2000, more than five months after the original installation date, Verizon completed its service and WorldCom was able to hook up the final circuit to provide connection to Bloomberg.

9. My contact at Bloomberg, Suzanne O'Brien, informed me that subsequent to ordering the primary DS-1 circuit from WorldCom, Bloomberg placed an order with Verizon directly for a back-up DS-1 to be installed at the same Viking location. (According to Ms. O'Brien, Bloomberg orders back-up circuits as a matter of practice when it orders primary circuits through telecommunications providers such as WorldCom.) My understanding is that Bloomberg placed its order with Verizon on or about March 31, 2000. Verizon returned an installation date of April 19, 2000 for this back-up circuit, and the order was completed on May 24, 2000 – less than two months after the order was initially placed, and a full three months before WorldCom's order was completed.

10. Order # NYC68050: On or about May 25, 2000, Bloomberg called me to place another order for a DS-1 to connect one of its facilities in New York City with one of its

customers, Auerbach Grayson (“Auerbach”).

11. WorldCom submitted an ASR to Verizon on or about June 30, 2000.

Verizon then returned a FOC to WorldCom on July 17, 2000, with an installation date of August 18, 2000.

12. Verizon did not meet its promised installation date, which fell during the strike. On or about August 23, 2000, after the strike ended, WorldCom escalated this order to the Vice President level. A WorldCom Vice President also named this second Bloomberg order as another one of her top ten priority orders. Finally, Verizon installed this DS-1 on September 28, 2000.

13. Ms. O’Brien, my contact at Bloomberg, informed me that as with the earlier order, Bloomberg had ordered a back-up DS-1 directly from Verizon, to be installed at the same Auerbach location. My understanding is that this order was placed on or about September 6, 2000, and that Verizon returned an installation date of September 19, 2000 – only thirteen days after the order was placed. Ms. O’Brien also told me that Bloomberg escalated the order to their contacts at Verizon and were able to get the circuit installed on September 13, 2000 – only seven days after the order was placed. Thus, although it took Verizon three months to install a circuit for WorldCom, Verizon was able to install the same type of circuit in the same location for itself in one week’s time.

14. I have recently been informed by Ms. O’Brien that Bloomberg will no longer place Type II orders with WorldCom in areas where Verizon serves as the ILEC. Instead, Bloomberg will place all such orders in those areas directly with Verizon. I have been told that

this decision is based on Bloomberg's perception – which in turn is based on the incidents described above, and others – that WorldCom is not able to obtain timely installations from Verizon. By contrast, as set forth above, the orders that Bloomberg placed directly with Verizon were installed in a much more timely manner.

15. I estimate that since the Verizon strike in August 2000, WorldCom has lost approximately 200 Type II orders from Bloomberg, each of which would have yielded an estimated \$500 per month in revenue to WorldCom, for a total loss of approximately \$100,000 per month.

16. This concludes my declaration on behalf of WorldCom.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November ____, 2000.

Eric Gillenwater